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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,505	02/10/2004	Kia Silverbrook	ZF147US	8703
24011	7590	11/01/2004	EXAMINER	
SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA			LAZOR, MICHELLE A	
		ART UNIT	PAPER NUMBER	
		1734		

DATE MAILED: 11/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/774,505	SILVERBROOK, KIA
	Examiner Michelle A Lazor	Art Unit 1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.

- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.

- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.

- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 16 August 2004.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1 and 2 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1 and 2 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Minami (U.S. Patent No. 5601389) in view of Scarlata (U.S. Patent No. 4707215) and Andjelic et al. (U.S. Patent No. 5295775).

Minami discloses a method of binding pages, the method including supplying a plurality of uniformly sized pre-printed pages along a path past a glue dispenser (8), wherein the pages have a continuous binding strip of adhesive applied to an upper surface, placing the pages one above another to form a stack on a support; ensuring alignment of the pages; and pressing at least a portion of the pages on the support so as to compress the adhesive so as to adhere the pages together (Figure 1; Abstract); but does not disclose a page width glue dispenser to apply adhesive to at least some of the pages along at least one strip extending substantially transversely across all of the upper surface on the page and adjusting the position of the support vertically so as to present a top page of the stack at a preset level. However, Scarlata discloses an apparatus comprising a page width glue dispenser (66) wherein the glue dispenser applies adhesive to at least some of the pages along at least one strip extending substantially transversely across all of the upper surface on the page (Figures 1 and 4 – 6; column 6, line 48 – column 7, line 22), and Andjelic et al. disclose adjusting the position of a support vertically so as to present a top page of

the stack at a preset level (column 11, line 63 – column 12, line 16). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the apparatus disclosed by Minami to include a page width glue dispenser wherein the glue dispenser applies adhesive to at least some of the pages along at least one strip extending substantially transversely across all of the upper surface on the page as an alternative design in order to provide adhesive to bind the pages along the top edge rather than the side edge; and it would have been obvious to adjust position of a support vertically as an equivalent alternative to adjusting the press vertically, as disclosed by Minami.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Scarlata in view of Minami and Andjelic et al.

Scarlata discloses a method of binding pages, the method including supplying a plurality of uniformly sized pre-printed pages along a path past a glue dispenser (66) (column 1, lines 4 – 10), wherein the glue dispenser applies adhesive to at least some of the pages along at least one continuous strip extending substantially transversely across all of the upper surface on the page, wherein said paper travels along a path past the glue dispenser, placing the pages one above another to form a stack on a support (64); and ensuring alignment of the pages (Figures 1 and 4 – 6; column 6, line 48 – column 7, line 22); but does not disclose a binding press to compress the adhesive and bind the pages, as well as adjusting the position of the support vertically so as to present a top page of the stack at a preset level. However, Minami discloses a binding press or pressing plate (11) (Figure 1; Abstract); and Andjelic et al. disclose adjusting the position of a support vertically so as to present a top page of the stack at a preset level (column 11, line 63 – column 12, line 16). Therefore it would have been obvious to one of ordinary skill in the art at

the time of the invention to include a pressing plate for pressing a linear glue-attaching area and for press-finishing the book or booklet (column 4, lines 7 – 26); and it would have been obvious to adjust position of a support vertically as an equivalent alternative to adjusting the press vertically, as disclosed by Minami.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Minami, Scarlata and Andjelic et al. as applied in Claim 1 above, in view of Boss (US/2001/0019691).

Minami, Scarlata and Andjelic disclose all the limitations of Claim 1, but does not disclose at least one of the pages to have binding adhesive in the form of a strip applied to a bottom surface or opposing faces of at least some of the pages along at least one line substantially transverse to said path. However, Boss discloses an apparatus wherein the pages having binding adhesive, or adhesive toner which becomes an adhesive when melted, which is placed on one or both sides (page 1, paragraph 14). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include means of applying adhesive to any desirable surface of a sheet in order to provide a secured binding region.

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Scarlata, Minami, and Andjelic et al. as applied in Claim 1 above, in view of Boss.

Scarlata discloses all the limitations of Claim 1, but does not disclose at least one of the pages to have binding adhesive in the form of a strip applied to a bottom surface or opposing faces of at least some of the pages along at least one line substantially transverse to said path. However, Boss discloses an apparatus wherein the pages having binding adhesive, or adhesive toner which becomes an adhesive when melted, which is placed on one or both sides (page 1, paragraph 14). Therefore it would have been obvious to one of ordinary skill in the art at the

time of the invention to include means of applying adhesive to any desirable surface of a sheet in order to provide a secured binding region.

Response to Arguments

6. Regarding the arguments presented with respect to the rejection of Claim 1, Examiner disagrees. As outlined above, Minami (Figure 1) discloses the limitation of pressing at least a portion of the pages on the support so as to compress the adhesive so as to adhere the pages together; Andjelic et al. was never intended to disclose this particular limitation, but instead was specifically included to show adjusting of the position of a support vertically so as to present a top page of the stack at a preset level (column 11, line 63 – column 12, line 16). Therefore one of ordinary skill in the art at the time of the invention would know the apparatus taught by Minami, Scarlata and Andjelic et al. would be capable of adjusting the support to a number of different positions, including a preset level; thus the rejection is maintained.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michelle A Lazor whose telephone number is 571-272-1232. The examiner can normally be reached on Mon - Wed 6:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla can be reached on 571-272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MAL
10/28/04


CHRIS FIORILLA
SUPERVISORY PATENT EXAMINER

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